

REMARKS

Claims 1-27 were pending at the time of the last office action. Applicants have amended claims 1 and 12. Applicants have not canceled or added any claims. Accordingly, claims 1-27 remain pending.

The Office Action rejected claims 1-27 under 35 U.S.C. § 101. (Office Action, page 2.) Although applicants disagree with the propriety of the rejections, applicants have nevertheless amended claims 1 and 12 to expedite prosecution. Applicants respectfully request reconsideration of claims 1-21.

Claim 22-27 recite that they are performed by a computer system. The appropriate test under 35 U.S.C. § 101 is a "machine-or-transformation" test. See *In re Bilski*, Federal Circuit (October 30, 2008). Because claims 22-27 recite that they are performed by a computer system, they are patentable under 35 U.S.C. § 101. Applicants thus respectfully request reconsideration.

The Office Action rejected claims 1-27 under 35 U.S.C. § 102(b) over U.S. Patent No. 5,999,967 ("Sundsted.") Applicants respectfully traverse.

Claims 1-11 recite "the ticket having a value specified by a sender of a message." The Office Action points to Sundsted's Abstract; Figures 2 and 4; 3:25-32 and 4:63-65 as teaching these features.

The Abstract discloses only that Sundsted's technique "allows the receiver of electronic mail to make a decision to accept, reject, prioritize, or expedite delivery of a piece of electronic mail based on the value of an attached electronic stamp [and that t]he apparatus consists of two complimentary parts: a sender side part with responsibility for attaching the electronic stamp; and a receiver side part with responsibility for removing the electronic stamp and filtering the electronic mail based on the value of the electronic stamp." (Abstract.) Figure 2 "is a diagram of a simple

electronic mail system." (Sundsted, 3:66.) Figure 4 is "is a diagram of the electronic stamp." (Sundsted, 4:5-6.) At 3:25-32, Sundsted discloses that the sender and receiver of a message agree upon a value of the stamp. (3:25-26.) At 4:63-65, Sundsted discloses a conventional mail transport agent.

Nothing in these sections teaches or suggests "the ticket having a value specified by a sender of a message," as claims 1-11 recite. In applicant's technique, a sender can specify a value and a recipient can determine whether or not to accept the message based on the value. The sender and recipient need not previously agree upon a value of the stamp.

Moreover, claims 1-11 also recite "the recipient can conditionally redeem the value of the ticket from the ticketing entity." Not only does the Office Action point to nowhere in Sundstead as teaching or suggesting this feature, Sundsted actually teaches away. Sundsted states without ambiguity that in that technique, the "receiver must bill the sender for the agreed amount if he accepts the electronic mail." (Sundsted, 7:5-9, emphasis added.) In complete contrast, applicants' technology can be used in situations where the recipient can decide not to bill the sender, such as when the sender is a friend. Thus, Sundsted does not permit conditional redemption.

Because Sundsted neither teaches nor suggests "the ticket having a value specified by a sender of a message" or "the recipient can conditionally redeem the value of the ticket from the ticketing entity," as claimed, applicants respectfully submit that claims 1-11 are patentable over Sundsted.

Claims 12-21 recite the "sender specifying a value for each message" and "a recipient to conditionally redeem tickets from the ticketing entity." As described above, Sundsted neither teaches nor suggests these features.

Claims 22-27 recite "the ticket having a value that is specified by a sender" and "so that a recipient can conditionally redeem tickets." As described above, Sundsted neither teaches nor suggests these features.

Although applicants address some but not all rejections, applicants do not concede any rejections not responded to and reserve their rights to respond to them later.

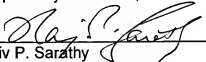
The claims each recite a novel combination of elements that is neither taught nor suggested by the applied references and so cannot be properly rejected under 35 U.S.C. §§ 102 or 103.

In view of the above amendments, applicants believe the pending application is in condition for allowance.

Please charge any deficiencies or credit any overpayment to our Deposit Account No. 50-0665, under Order No. 418268004US from which the undersigned is authorized to draw.

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Respectfully submitted,

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